

0081002-AMOUNT OF LIQUIDATED DAMAGES
COMMENTS FROM INDUSTRY REVIEW

Conrad Campbell
conrad.campbell@dot.state.fl.us
813-519-4287

Comments:

Is the Daily Charge Per Calendar Day for contracts from \$500,000 to \$2,500,000 correct at \$148/contract day? This number does not seem in line with the other rates.

Response:

Brannon Chatwood, E.I.
P.E. Trainee, District 3
Florida Department of Transportation
Cell: (850) 251-2243
DC#: 195*30441*41

Comments:

In reference to the proposed specification revision 0081002 Amount of Liquidated Damages, for my informational purposes, how is it possible to reduce the LDs when the cost of construction projects has significantly increased? Can you please shed a little light on how the amounts are determined and adjusted?

Response:

Jacquelin D. Brown
jacquelin.brown@dot.state.fl.us
Tel: 863/519-2757
FAX: 863/534-0071

Comments:

The price for \$500,000....appears to be in error.

Response:

Bob Dion
bob_dion@urscorp.com
Tel: 386 704-0665
FAX: 386 740-1275

Comments:

Please change the wording in the introduction, Subarticle 8-10.2 'is' being deleted, not 'are' being deleted.
A single subarticle is being deleted.

Response:

William Sheridan
william.sheridan@dot.state.fl.us
Tel: 813.233.3834

Comments:

By simple inspection of daily rates not clear how they were developed. FHWA has provide guidance(s) on point via memorandum, their 2006 Reference Guide(see pages 108 & 156) & 23 CFR 635.127.

Are we developing rates consistent with such directed guidances from FHWA?

Response:

Heather Lussier
hlussier@apac.com
Tel: 321-242-0236
FAX: 321-242-8878

Comments:

I think this is a good change because of the realistic figures. If a contract is going to LDs then the contractor is probably already close to being in the red. These reduced fees will alleviate some of that sort of pressure.

Response:

Mark A. Croft
District Six Construction Engineer
Phone: (305) 499-2468
e-mail: mark.croft@dot.state.fl.us

Comments:

David, Thanks for responding, \$1148 makes sense but was not shown that way on Duane's 9/05/07 memo. Also, the amount of LDs is diminishing as it approaches \$20 million but then takes a big jump from \$3,782/day to \$5,684/day when it crosses \$20 Million. Why?

Response:

Christopher P. Wood
D2 Construction Contract Support Specialist
Phone: (904) 360-5673
Email:Christopher.Wood@dot.state.fl.us

Comments:

Suggest that line 4, the \$500k to less than \$2.5 mil, be clearly noted as \$1,148.

Response:

Brian Blair, P.E.
PBS&J - GEC Project Manager
(863) 519-2769

Comments:

Thank you for the opportunity to review and comment on the proposed Specification. I respectfully disagree with the proposal to reduce the amount of per-day liquidated damages assessed to the contractor for late work.

By *reducing* the amount of the fines, it sends the message that FDOT is not serious about having the projects completed within the contract-approved construction time. In my humble opinion, the fines should increase on par with the way that construction costs have escalated within the last few years.

If we are to fully obtain the contractors' buy-in in a true partnership regarding the 10% cost and 20% time overrun goals set forth by FDOT for the motoring public, they need to know that FDOT stands behind its commitment.

Response:

Greg Vickery
District Communications Coordinator
Office of the District Secretary
Office (850) 415-9529
Fax (850) 415-9761
greg.vickery@dot.state.fl.us

Comments:

We have retrieved the referenced document from the [State Specifications Office's Industry Review intranet website](#). Pursuant to request, we have reviewed the document, entitled "Amount of Liquidated Damages," and offer the following comments for your consideration.

It is recommended that the fourth line reflects \$ 1,148. We feel it is a little misleading since every other line reflected the existing LD amount lined through with the proposed amount reflected to its right side yet line four was different.

Thank you for the opportunity to provide input. If you have any questions or need additional information, please do not hesitate to contact me, at (850) 415-9200.

Response:
